

EXHIBIT A

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Brandon Johnson

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

P/O Wm. Bowdren, City of Phila., City of Phila Prison Sys., Thomas Kasprzak, Joseph Curtosi, Michele Farrell

County of Residence of First Listed Defendant Philadelphia
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)
Matthew B. Weisberg, Esq., 7 South Morton Ave., Morton, PA 19070
610-690-0801Attorneys (If Known)
Matthew Hubbard

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

 1 U.S. Government Plaintiff 3 Federal Question
(U.S. Government Not a Party) 2 U.S. Government Defendant 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

| | PTF | DEF | | PTF | DEF |
|---|----------------------------|---------------------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input checked="" type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input checked="" type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|--|--|--|--|---|
| <input type="checkbox"/> 110 Insurance | PERSONAL INJURY | PERSONAL INJURY | <input type="checkbox"/> 425 Drug Related Seizure of Property 21 USC 881 | <input type="checkbox"/> 375 False Claims Act |
| <input type="checkbox"/> 120 Marine | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 365 Personal Injury - Product Liability | <input type="checkbox"/> 422 Appeal 28 USC 158 | <input type="checkbox"/> 400 State Reapportionment |
| <input type="checkbox"/> 130 Miller Act | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability | <input type="checkbox"/> 423 Withdrawal 28 USC 157 | <input type="checkbox"/> 410 Antitrust |
| <input type="checkbox"/> 140 Negotiable Instrument | <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | PROPERTY RIGHTS | <input type="checkbox"/> 430 Banks and Banking |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | <input type="checkbox"/> 330 Federal Employers' Liability | <input type="checkbox"/> 370 Other Fraud | <input type="checkbox"/> 820 Copyrights | <input type="checkbox"/> 450 Commerce |
| <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 371 Truth in Lending | <input type="checkbox"/> 830 Patent | <input type="checkbox"/> 460 Deportation |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 380 Other Personal Property Damage | <input type="checkbox"/> 840 Trademark | <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits | <input type="checkbox"/> 350 Motor Vehicle | <input type="checkbox"/> 385 Property Damage Product Liability | SOCIAL SECURITY | <input type="checkbox"/> 480 Consumer Credit |
| <input type="checkbox"/> 160 Stockholders' Suits | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 710 Fair Labor Standards Act | <input type="checkbox"/> 861 HIA (1395f) | <input type="checkbox"/> 490 Cable/Sat TV |
| <input type="checkbox"/> 190 Other Contract | <input type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 720 Labor/Management Relations | <input type="checkbox"/> 862 Black Lung (923) | <input type="checkbox"/> 850 Securities/Commodities/ Exchange |
| <input type="checkbox"/> 195 Contract Product Liability | <input type="checkbox"/> 362 Personal Injury - Medical Malpractice | <input type="checkbox"/> 730 Other Personal Property | <input type="checkbox"/> 863 DIWC/DIWW (405(g)) | <input type="checkbox"/> 890 Other Statutory Actions |
| <input type="checkbox"/> 196 Franchise | | <input type="checkbox"/> 740 Railway Labor Act | <input type="checkbox"/> 864 SSID Title XVI | <input type="checkbox"/> 891 Agricultural Acts |
| | | <input type="checkbox"/> 751 Family and Medical Leave Act | <input type="checkbox"/> 865 RSI (405(g)) | <input type="checkbox"/> 893 Environmental Matters |
| | | <input type="checkbox"/> 790 Other Labor Litigation | | <input type="checkbox"/> 895 Freedom of Information Act |
| | | <input type="checkbox"/> 791 Employee Retirement Income Security Act | | <input type="checkbox"/> 896 Arbitration |
| | | | FEDERAL TAX SUITS | <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision |
| | | | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) | <input type="checkbox"/> 950 Constitutionality of State Statutes |
| | | | <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 | |

V. ORIGIN (Place an "X" in One Box Only)

 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District 6 Multidistrict Litigation
(specify)

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. Sec. 1983

Brief description of cause:

Civil Rights Violation under 42 U.S.C. Sec. 1983

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S)

(See Instructions):

IF ANY

JUDGE

DOCKET NUMBER

DATE

8-24-15

SIGNATURE OF ATTORNEY/OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

Brandon Johnson
845 N. 20th Street
Philadelphia, PA 19130
Plaintiff

Civil Action

NO: _____

v.

Officer William Bowdren, individually and
in his official capacity as Officer for the
City of Philadelphia Police Department

1515 Arch Street

Philadelphia, PA 19102

And

The City of Philadelphia Police Department
1515 Arch Street
Philadelphia, PA 19102

And

The City of Philadelphia Prison System
7901 State Road
Philadelphia, PA 19136

And

Thomas Kasprzak individually and in his
official capacity as Parole Officer for the
City of Philadelphia Adult Probation and
Parole Department
1401 Arch Street
Philadelphia, PA 19102

And

Joseph Curtosi, individually and in his
official capacity as Parole Officer for the
City of Philadelphia Adult Probation and
Parole Department
1401 Arch Street
Philadelphia, PA 19102

And

Michele Farrell, individually and in her
official capacity as Corrections Warden for
for the City of Philadelphia Prison System
7901 State Road
Philadelphia, PA 19136

Defendants

NOTICE OF REMOVAL

To the Honorable Judges of the United States District Court for the Eastern District of Pennsylvania.

Pursuant to 28 U.S.C. § 1441, defendants, P/O William Bowdren, City of Philadelphia Police Dept., City of Philadelphia Prison System, Thomas Kasprzak, Joseph Curtosi, and

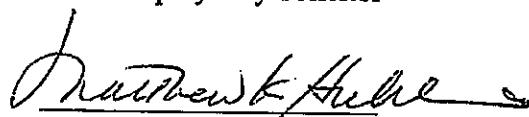
Michele Farrell(hereinafter "petitioners") through their counsel, Matthew Hubbard, Senior Attorney, respectfully petition for the removal of this action to the United States District Court for the Eastern District of Pennsylvania. In support thereof, defendants state the following:

1. In July 2014, plaintiff initiated this action by a Complaint in the Court of Common Pleas in Philadelphia, July 2014, No. 001437. (Exhibit A - Complaint).
2. On August 18, 2015, said Complaint was served on Petitioners at 1515 Arch Street, 14th Floor, Philadelphia, Pennsylvania.
3. Plaintiff alleges that on July 31, 2013, he sustained damages when his civil rights were violated by the defendants. (Exhibit A).
4. This action may be removed to this Court pursuant to 28 U.S.C. § 1441 since Plaintiff's Complaint contains allegations of violations of the plaintiff's Federal Civil Rights and seeks relief under 42 U.S.C. § 1983. (Exhibit A)

Wherefore, petitioners, P/O William Bowdren, City of Philadelphia Police Dept., City of Philadelphia Prison System, Thomas Kasprzak, Joseph Curtosi, and Michele Farrell, respectfully request that the captioned Complaint be removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

Craig Straw
Chief Deputy City Solicitor


MATTHEW K. HUBBARD
Senior Attorney
Attorney I.D. No. 44110
City of Philadelphia Law Department
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
215-683-5391

Date: 8-24-15

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

Brandon Johnson
845 N. 20th Street
Philadelphia, PA 19130

Plaintiff

Civil Action

NO: _____

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for the City of Philadelphia Prison System

7901 State Road

Philadelphia, PA 19136

Formerly

Court of Common Pleas

Philadelphia County

Trial Division – Civil

July Term, 2014

No. 001437

Defendants

NOTICE OF FILING OF REMOVAL

TO: Matthew B. Weisberg, Esq.
7 South Morton Ave.

Morton, PA 19070

PLEASE TAKE NOTICE THAT on August 24, 2015 , defendants, P/O William Bowdren, City of Philadelphia Police Dept., City of Philadelphia Prison System, Thomas Kasprzak, Joseph Curtosi, and Michele Farrell filed, in the office of the Clerk of the United States District Court for the Eastern District of Pennsylvania a verified Notice of Removal.

A copy of this Notice of Removal is attached hereto and is also being filed with the Clerk of the Court of Common Pleas of Philadelphia County, pursuant to Title 28, United States Code, Section 1446(d).



MATTHEW K. HUBBARD

Senior Attorney

Attorney I.D. No. 44110

City of Philadelphia Law Department

1515 Arch Street, 14th Floor

Philadelphia, PA 19102

215-683-5391

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

Brandon Johnson

845 N. 20th Street

Philadelphia, PA 19130

Plaintiff

Civil Action

NO: _____

v.

Officer William Bowdren, individually and
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Philadelphia, PA 19102

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The City of Philadelphia Police Department
1515 Arch Street

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The City of Philadelphia Prison System
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Formerly

Court of Common Pleas
Philadelphia County
Trial Division – Civil
July Term, 2014
No. 001437

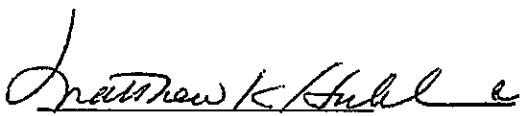
Defendants

CERTIFICATE OF SERVICE

I, Matthew K. Hubbard, Senior Attorney do hereby certify that a true and correct copy of the attached Notice of Removal has been served upon the following by First Class Mail, postpaid,

on the date indicated below:

TO: Matthew B. Weisberg, Esq.
7 South Morton Avenue
Morton, PA 19070



Matthew K. Hubbard
Senior Attorney
City of Philadelphia Law Department
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
215-683-5391

Date: 8-24-15

Exhibit "A"

95066

THIS IS A MAJOR JURY MATTER
ASSESSMENT OF DAMAGES IS REQUIRED**WEISBERG LAW**

Matthew B. Weisberg, Esq.
Attorney ID No.: 85570
Chad B. Gordon, Esq.
Attorney ID No.: 317780
7 South Morton Ave.
Morton, PA 19070
610-690-0801
610-690-0880 – Fax

Attorneys for Plaintiff

Brandon Johnson
845 N. 20th Street
Philadelphia, PA 19130

COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

Plaintiff,

July Term, 2014

v.

Officer William Bowdren, individually and
in his official capacity as Officer for the
City of Philadelphia Police Department
1515 Arch Street
Philadelphia, PA 19102

NO.: 1437

And

The City of Philadelphia Police Department
1515 Arch Street
Philadelphia, PA 19102

And

The City of Philadelphia Prison System
7901 State Road
Philadelphia, PA 19136

JURY OF TWELVE (12) DEMANDED

And

Thomas Kasprzak individually and in his
official capacity as Parole Officer for the
City of Philadelphia Adult Probation and
Parole Department
1401 Arch Street
Philadelphia, PA 19102

And

Joseph Curtosi, individually and in his official capacity as Parole Officer for the City of Philadelphia Adult Probation and Parole Department
1401 Arch Street
Philadelphia, PA 19102

And

Michele Farrell, individually and in her official capacity as Corrections Warden for for the City of Philadelphia Prison System
7901 State Road
Philadelphia, PA 19136

Defendants.

NOTICE TO DEFEND

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.
IF YOU CANNOT AFFORD TO HIRE

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas ex-puestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

USTED LE DEBE TOMAR ESTE PAPEL A SU ABOGADO INMEDIATAMENTE. SI USTED NO TIENE A UN ABOGADO, VA A O TELEFONEA LA OFICINA EXPUSO

| | |
|---|--|
| <p>A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.</p> <p>Philadelphia Bar Association One Reading Center 11th & Market Streets Philadelphia, PA 19107 215-238-6333</p> | <p>ABAJO. ESTA OFICINA LO PUEDE PROPORCIONAR CON INFORMATION ACERCA DE EMPLEAR A UN ABOGADO. SI USTED NO PUEDE PROPORCIONAR PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE SER CAPAZ DE PROPORCIONARLO CON INFORMACION ACERCA DE LAS AGENCIAS QUE PUEDEN OFRECER LOS SERVICIOS LEGALES A PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO NI NINGUN HONORARIO.</p> <p>Philadelphia Bar Association One Reading Center 11th & Market Streets Philadelphia, PA 19107 215-238-6333</p> |
|---|--|

**THIS IS A MAJOR JURY MATTER
ASSESSMENT OF DAMAGES REQUIRED**

WEISBERG LAW

Matthew B. Weisberg, Esq.
Attorney ID No.: 85570
Chad B. Gordon, Esq.
Attorney ID No.: 317780
7 South Morton Ave.
Morton, PA 19070
610-690-0801
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Attorneys for Plaintiff

Brandon Johnson : COURT OF COMMON PLEAS
845 N. 20th Street : PHILADELPHIA COUNTY
Philadelphia, PA 19130 :

Plaintiff, : July Term, 2014

v.

Officer William Bowdren, individually and : NO.: 1437
in his official capacity as Officer for the :
City of Philadelphia Police Department :
1515 Arch Street :
Philadelphia, PA 19102 :

And

The City of Philadelphia Police Department :
1515 Arch Street :
Philadelphia, PA 19102 :

And

The City of Philadelphia Prison System : JURY OF TWELVE (12) DEMANDED
7901 State Road :
Philadelphia, PA 19136 :

And

Thomas Kasprzak individually and in his :
official capacity as Parole Officer for the :
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Joseph Curtosi, individually and in his
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1401 Arch Street
Philadelphia, PA 19102

And

Michele Farrell, individually and in her
official capacity as Corrections Warden for
for the City of Philadelphia Prison System
7901 State Road
Philadelphia, PA 19136

Defendants.

CIVIL ACTION COMPLAINT

I. Parties

1. Plaintiff, Brandon Johnson, is an adult individual residing at the above-captioned address.
2. Defendant, Officer William Bowdren, is an adult individual who at all times material herein, acted individually, and/or as an agent, servant, workman, and/or employee of the Defendant, Philadelphia Police Department, as well as in his official capacity as Officer, acting under color of State Law.
3. Defendant, The City of Philadelphia Prison System, is a municipal agency at the above-captioned address, which is owned, run, operated, managed directed and controlled by the City of Philadelphia.
4. Defendant, Thomas Kasprzak, is an adult individual who, at all times material herein, acted individually, and/or as an agent, servant, workman, and/or employee of the City of Philadelphia Adult Probation and Parole Department, as well in his official capacity as Parole Officer, acting under color of State law.

5. Defendant, Joseph Curtosi, is an adult individual who, at all times material herein, acted individually, and/or as an agent, servant, workman, and/or employee of the City of Philadelphia Adult Probation and Parole Department, as well in his official capacity as Parole Officer, acting under color of State law.
6. Defendant, Michele Farrell, is an adult individual who, at all times material herein, acted individually, and/or as an agent, servant, workman, and/or employee of the The City of Philadelphia Prison System, as well in her official capacity as Corrections Warden, acting under color of State law.

II. Operative Facts

7. On or about July 31, 2013, Plaintiff, Brandon Johnson was driving in Philadelphia.
8. Defendant Officer, William Bowdren pulled over Johnson's vehicle. During the stop, Bowdren discovered a Philadelphia bench warrant issued for an individual with Johnson's same name for a probation violation.
9. Plaintiff explained to Bowdren that it was impossible because he had no warrants in Philadelphia.
10. Bowdren ignored and arrested Johnson without probable nor any cause -- or any meaningful investigation whatsoever.
11. Upon information and belief, the probation violation was reported by Defendant Parole Officers, Thomas Kasprzak and Joseph Curtosi.
12. Defendant, The City of Philadelphia Police Department, imprisoned Johnson at Curran-Fromhold Correctional Facility.
13. When Johnson entered the correctional facility, he received a wristband without a picture on it, but with another Johnson's information on it.

14. Johnson informed Correctional Officer, John Doe, that he was not the individual listed on the wristband. Immediately, Correctional Officer, John Doe, re-took Johnson's photo and gave him a new wristband with the same information, but with Johnson's picture.
15. On or about September 3, 2013, Johnson was released from Curran-Fromhold Correctional Facility.
16. On or about September 5, 2013, at the Gagnon Hearing held before the Honorable Rayford A. Means in the Court of Common Pleas of Philadelphia County, the Court dismissed the charges against Johnson. Upon information and belief, the assistant district attorney admitted to the Court that Johnson had been "mixed up" with another individual with the same birthday and name. (Docket No. CP-51-CR-0006825-2009).
17. Plaintiff has been arrested several other times regarding the aforesaid bench warrant which is associated with a different person named Brandon Johnson.
18. Plaintiff has communicated directly with Defendant parole officers at least three (3) times to explain this issue. Defendant parole officers apologized to Plaintiff and said they would fix the issue but have continually failed to do so.
19. Most recently, in August 2015, Plaintiff's driver's license was suspended for six (6) months because the different person named Brandon Johnson was arrested for a drug-related matter.
20. As a result of the aforesaid, Plaintiff's life has been majorly disrupted causing severe emotional distress.
21. The conduct of Defendants was part of a custom, policy and/or practice and these customs, policies or practices caused the violations of Plaintiff's rights. Specifically, Defendants arrested Plaintiff and search and seize citizens without probable nor any cause – or any meaningful investigation whatsoever.

III. Causes of Action

COUNT I

Wrongful Search and Seizure

22. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.
23. At the time of Defendants' conduct, Plaintiff had not committed any infraction or otherwise to legally justify the search and seizure used by Defendants.
24. Defendants' stated above, *inter alia*, were committed under color of state law and were violations of Plaintiff's clearly establish and well-settled Constitutional and other legal rights.
25. Defendants caused Plaintiff to suffer a violation by their wrongful conduct all in violation of the Fourth and Fourteenth Amendment of the United States Constitution, actionable through 42 U.S.C. § 1983, et seq., as well as State Law.

WHEREFORE, Plaintiff demands judgment in his favor and against Defendants, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

COUNT II

False Arrest

26. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.
27. Defendants lacked probable cause or any cause to arrest Plaintiff.
28. Plaintiff had not committed any infraction or otherwise to legally justify his arrest by and through Defendants.
29. Defendants intentionally arrested Plaintiff for a purpose other than bringing Plaintiff to justice.

30. Defendants caused Plaintiff to suffer false arrest by their wrongful conduct all in violation of the Fourth and Fourteenth Amendment of the United States Constitution, actionable through 42 U.S.C. § 1983, et seq., as well as State Law.

WHEREFORE, Plaintiff demands judgment in his favor and against Defendants, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

COUNT III
False Imprisonment

31. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.
32. Defendants lacked probable cause or any cause to arrest or cause the arrest of Plaintiff.
33. Plaintiff had not committed any infraction or otherwise to legally justify his arrest by Defendants.
34. Defendants intentionally deprived Plaintiff of his liberty for a purpose other than bringing Plaintiff to justice.
35. Defendants caused Plaintiff to suffer false imprisonment by their wrongful conduct all in violation of the Fourth and Fourteenth Amendment of the United States Constitution, actionable through 42 U.S.C. § 1983, et seq., as well as State Law.

WHEREFORE, Plaintiff demands judgment in his favor and against Defendants, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

COUNT IV
Malicious Prosecution

36. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.
37. At the time of Defendants' investigation, arrest, charges and imprisonment, Plaintiff had not committed any infraction to legally justify the incarceration and charges.
38. Defendants' actions stated above, *inter alia*, were committed under color of State law and were violations of Plaintiff's clearly established and well-settled Constitutional and other legal rights.
39. Defendants caused Plaintiff to suffer a malicious prosecution by their wrongful conduct in subjecting Plaintiff to false criminal charges, all in violation of the Fourth and Fourteenth Amendments to the United States Constitution.
40. Defendants instituted criminal actions against Plaintiff by way of failing to properly investigate the conduct giving rise to the warrant or thereafter.
41. Plaintiff was seized from the time he was arrested through the time he was imprisoned.
42. Defendants did not have probable cause nor any cause to arrest, charge, and/or accuse Plaintiff of the criminal acts.
43. The criminal action terminated in Plaintiff's favor after Defendants released Plaintiff from prison without verbal or written explanation.

WHEREFORE, Plaintiff demands judgment in his favor and against Defendants, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

COUNT V
Monell

44. Plaintiff incorporates by reference all prior paragraphs as if fully set forth at length herein.

45. The violations of Plaintiff's constitutional rights under the Fourth and Fourteenth Amendments to the United States Constitution, Plaintiff's damages, and the conduct of the individual defendants were directly and proximately caused by the actions and/or inactions of defendant, which has encouraged, tolerated, ratified, and has been deliberately indifferent to the following policies, patterns, practices, and customs, and to the need for more or different training, supervision, investigation, or discipline in the areas of:

- a. Legal cause to detain, arrest and criminally charge a citizen;
- b. The proper exercise of police powers, including but not limited to the making of an arrest and the bringing of criminal charges;
- c. Police officers' use of their status as police officers to to achieve ends not reasonably related to their police duties; and
- d. The failure of police officers to follow established policies, procedures, directives, and instructions regarding arrests, and the institution of criminal charges under such circumstances as presented by this case.

46. Prior to the events described herein, Defendants developed and maintained policies, practices, procedures, and customs exhibiting deliberate indifference to the Constitutional rights of persons within the geographic and jurisdictional limits of the Commonwealth of Pennsylvania, which caused violations of Plaintiff's constitutional and other rights.

47. The above described acts or omissions by Defendants, demonstrated a deliberate indifference to the rights of the citizens, such as Plaintiff, and were the cause of the violations of Plaintiff's rights as set forth herein.

48. Plaintiff suffered harm due to Defendants' misconduct.

WHEREFORE, Plaintiff demands judgment in his favor and against Defendants, individually, jointly and/or severally, in an amount in excess of fifty thousand dollars (\$50,000.00), including punitive damages, and further relief as this Honorable Court deems necessary and just, including attorney's fees and costs.

WEISBERG LAW

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esq.
Chad B. Gordon, Esq.
Attorneys for Plaintiff

**THIS IS A MAJOR JURY MATTER
ASSESSMENT OF DAMAGES REQUIRED**

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Attorneys for Plaintiff

Brandon Johnson : COURT OF COMMON PLEAS
845 N. 20th Street : PHILADELPHIA COUNTY
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Plaintiff, : July Term, 2014

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in his official capacity as Officer for the :
City of Philadelphia Police Department, et al:
1515 Arch Street :
Philadelphia, PA 19102 : JURY OF TWELVE (12) DEMANDED

Defendants. :

CERTIFICATE OF SERVICE

I, Matthew B. Weisberg, Esquire, hereby certify that on this 17th day of August, 2015, a true and correct copy of the foregoing Plaintiff's Civil Action Complaint was served via e-filing, upon the following parties:

Craig Straw, Esquire
City of Philadelphia Law Department
1515 Arch Street, 14th Floor
Philadelphia, PA 19102

WEISBERG LAW

/s/ Matthew B. Weisberg
Matthew B. Weisberg, Esquire
Attorney for Plaintiff



VERIFICATION

The facts contained in the foregoing are true based upon the signer's personal knowledge or information and belief. If the foregoing contains averments which are inconsistent in fact, signer has been unable, after reasonable investigation, to ascertain which of the inconsistent averments are true, but signer has knowledge or information sufficient to form a belief that one of them is true. The language of this pleading is that of counsel and not of signer. This verification is made subject to the penalties of 18 PA. C.S.A. §4904 relating to unsworn falsification to authorities.

/s/ Matthew B. Weisberg

Signature

Matthew B. Weisberg, Esquire

Print name

Attorney for Plaintiff, Brandon Johnson

TITLE

Date: 8/17/2015

Case 2:15-cv-04787-TON Document 1 Filed 08/24/15 Page 23 of 24

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA - DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 845 N. 20th Street, Philadelphia, PA 19130

Address of Defendant: Law Department, 1515 Arch Street, 14th Floor, Philadelphia, PA 19102

Place of Accident, Incident or Transaction: Philadelphia, PA
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock? (Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)). Yes No

Does this case involve multidistrict litigation possibilities? Yes No
RELATED CASE IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. *Federal Question Cases:*

1. Indemnity Contract, Marine Contract, and All
2. FELA
3. Jones Act - Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations
7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases
10. Social Security Review Cases
11. All Other Federal Questions Cases (Please specify)

B. *Diversity Jurisdiction Cases:*

| | |
|--|---|
| Other Contracts | 1. <input type="checkbox"/> Insurance Contract and Other Contracts |
| 2. <input type="checkbox"/> Airplane Personal Injury | 3. <input type="checkbox"/> Assault, Defamation |
| 4. <input type="checkbox"/> Marine Personal Injury | 5. <input type="checkbox"/> Motor Vehicle personal Injury |
| 6. <input type="checkbox"/> Other Personal Injury (Please specify) | 7. <input type="checkbox"/> Products Liability |
| 8. <input type="checkbox"/> Products liability - Asbestos | 9. <input type="checkbox"/> All other Diversity Cases (Please specify) |

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, Matthew K. Hubbard, counsel of record do hereby certify:

Pursuant to Local Rule 53.3 A, civil rights cases are excluded from arbitration.

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: 8/24/15Matthew K. Hubbard

Attorney-at-Law

44110

Attorney I.D. #

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 8/24/15Matthew K. Hubbard, Esquire
Attorney-at-Law

44110

Attorney I.D. #

CIV. 609 (4/03)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Brandon Johnson

Civil Action

v.

P/O William Bowdren

No.

City of Philadelphia

City of Philadelphia Prison System

Thomas Kasprzak

Joseph Curtosi

Michele Farrell

CASE MANAGEMENT TRACK DESIGNATION FORM

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through § 2255. ()
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

Matthew K. Hubbard, Esquire

8/24/15
Date

Attorney-at-law

City of Philadelphia, et al.
Attorney for

(215) 683-5391

(215) 683-5397

matthew.hubbard@phila.gov

Telephone

FAX Number

E-mail Address